NAVIGATING LEGAL LANGUAGE AND EXPLORING CAREER TRAJECTORIES IN LAW

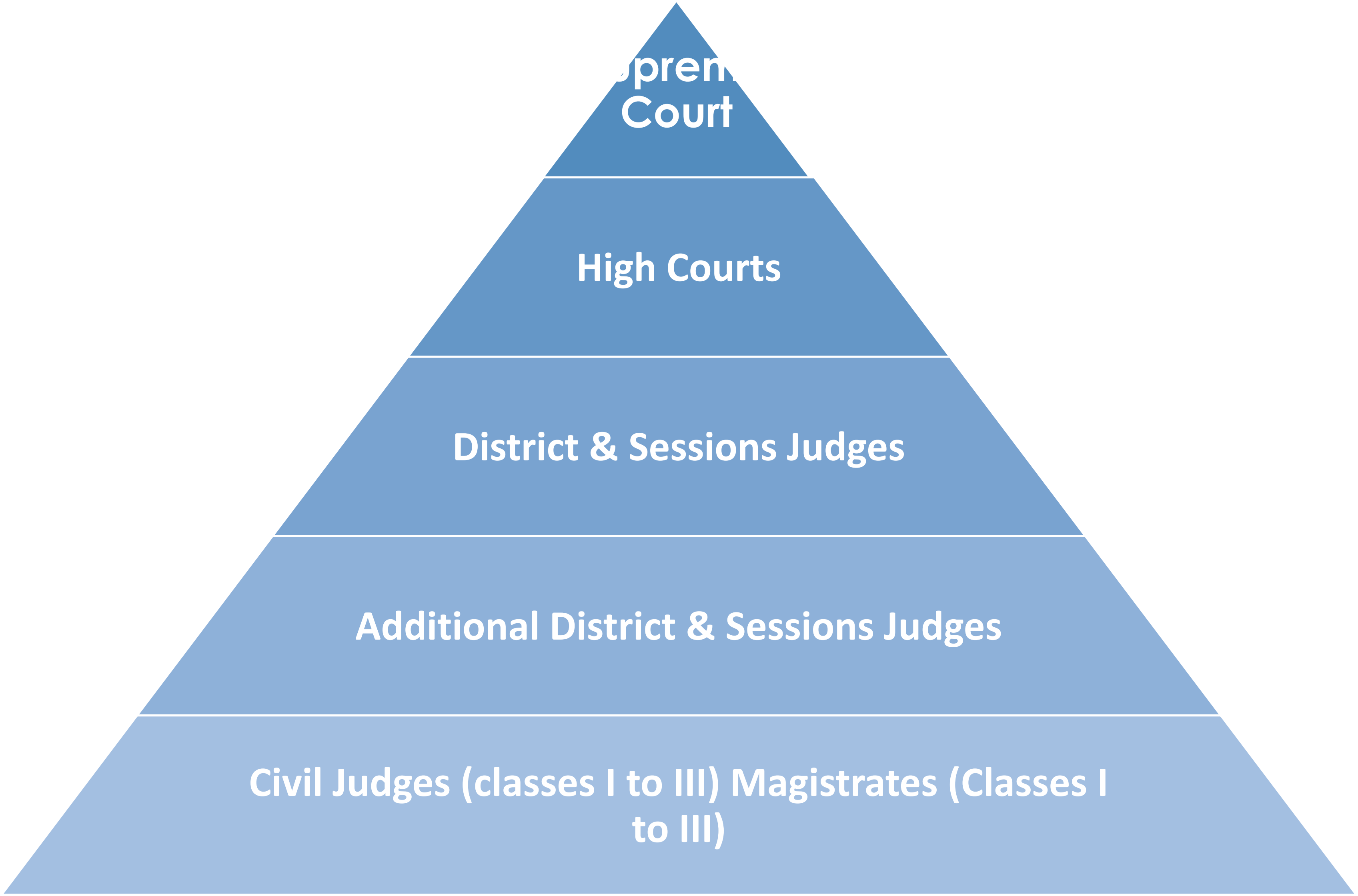
By
Mehreen Nadeem
Advocate High Court
Author of The Katchehry Speak

PGD Intellectual Property Law (Post Graduate School of Legal Studies)
PGD Banking Law ((Post Graduate School of Legal Studies)
BA.LLB (University of the Punjab)

Why do I need to know Legal Vernacular in Urdu?

- Necessary for a competent law practice
- Understanding the Base Pleadings and Impugned Orders in Appeals/Writs
- Effective Communication with Diverse Clientele
- Broaden Your Audience
- Establish credibility and confidence as a lawyer

Hierarchy of Courts



Language of the Courts

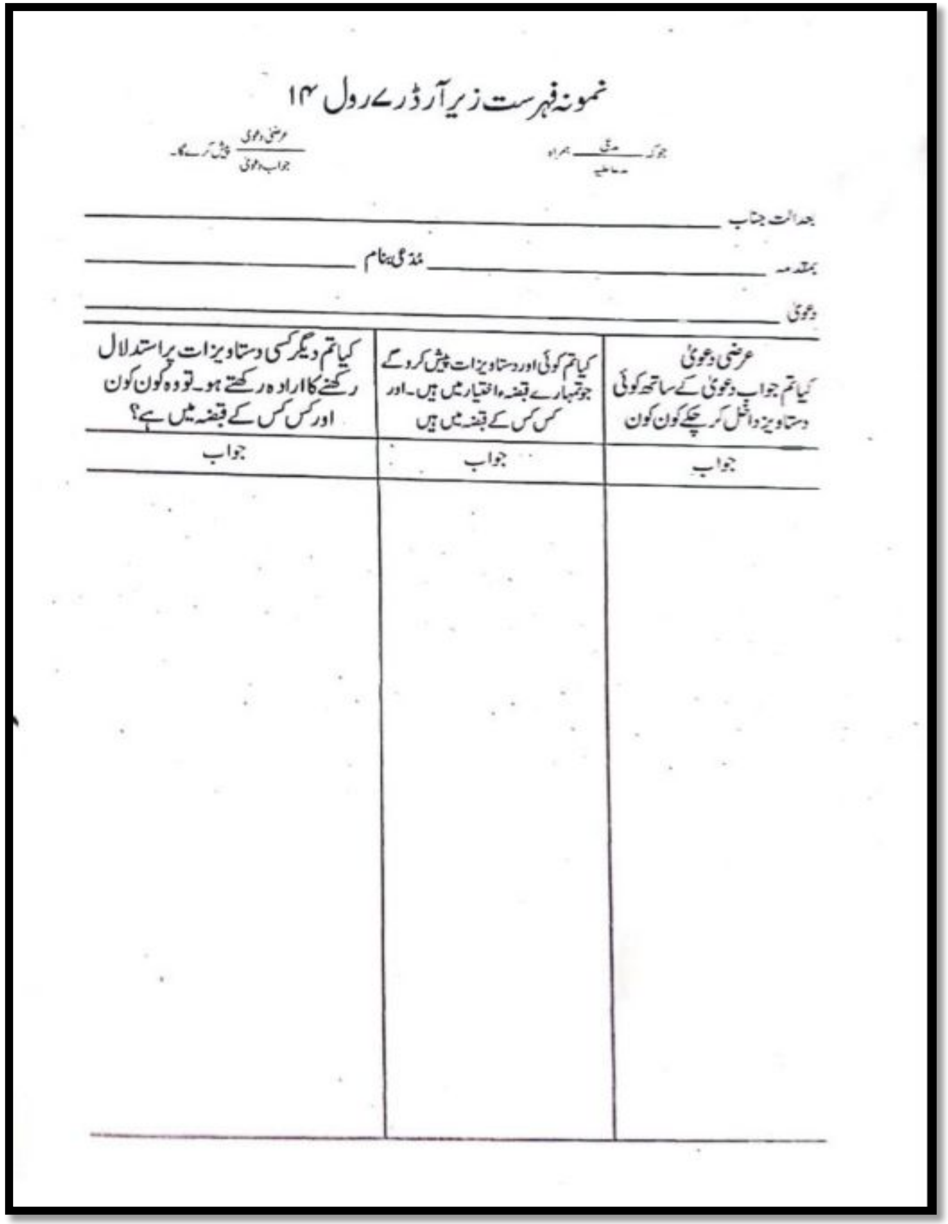
- **Rules & Orders of the Lahore High Court, Volume I**

I -- Court Language

1. *[(a) Urdu being the National Language as per Article 251 of the Constitution of the Islamic Republic of Pakistan, 1973, shall be the language of the High Court, provided that English may be continued as the Language of the Court as well till further orders. (See also paragraph 1-A(a) of part A of Chapter 1 and paragraph 1 of part A of Chapter 4 of Volume V of High Court Rules and Orders.]

(b) Urdu has been declared to be the language of all Courts subordinate to the High Court.

Necessity of Procedure



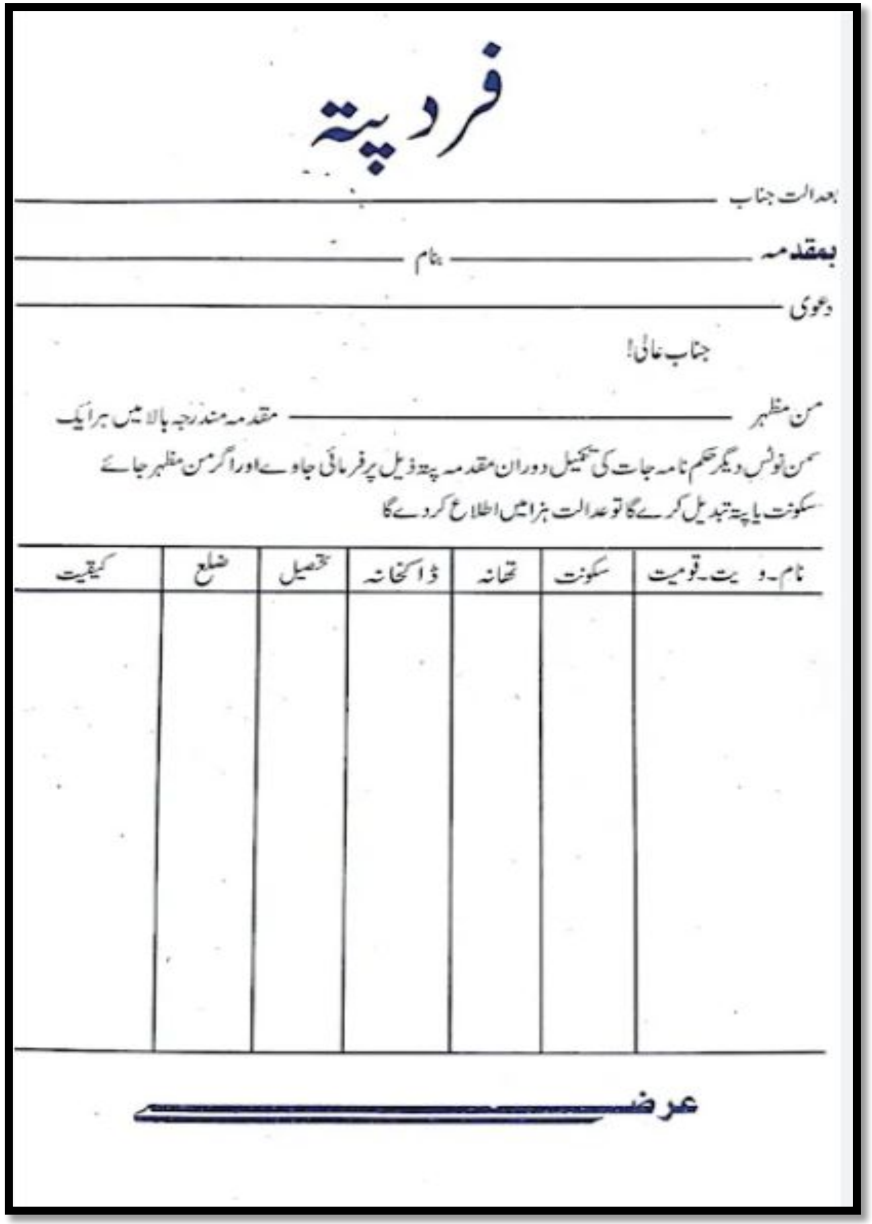
نمونہ فہرست زیر آرڈر ۷ رول ۱۴

بعدالت جناب ____

بمقدمہ ____ مدعی بنام ____

دعوی ____

عرضی دعوی کیا تم جواب دعوی کے ساتھ کوئی دستاویز داخل کر چکے کون کون	کیا تم کوئی اور دستاویزات پیش کرو گے جو تمہارے قبضہ و اختیار میں ہیں۔ اور کس کس کے قبضہ میں ہیں	کیا تم دیگر کسی دستاویزات پر استدلال رکھنے کا ارادہ رکھتے ہو۔ تو وہ کون کون اور کس کس کے قبضہ میں ہے؟
جواب	جواب	جواب



فرد پتہ

بعدالت جناب ____

بمقدمہ ____ بنام ____

دعوی ____

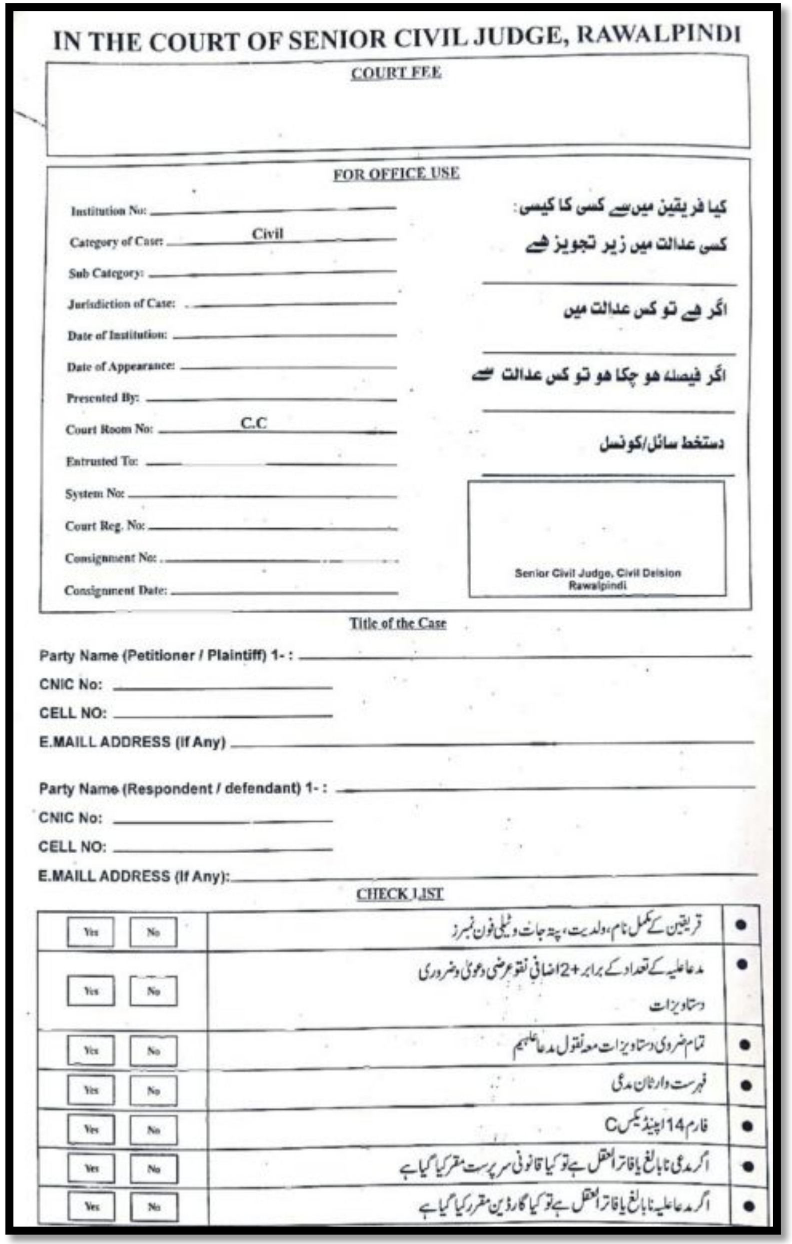
جناب عالی!

من مظہر ____ مقدمہ مندرجہ بالا میں ہر ایک سمن نوٹس دیگر حکم نامہ جات کی تکمیل دوران مقدمہ پتہ ذیل پر فرمائی جاوے اور اگر من مظہر جائے سکونت یا پتہ تبدیل کرے گا تو عدالت ہذا میں اطلاع کر دے گا

نام۔ ولدیت۔ قومیت	سکونت	تھانہ	ڈاکخانہ	تحصیل	ضلع	کیفیت

عرضے

Necessity of Procedure



IN THE COURT OF SENIOR CIVIL JUDGE, RAWALPINDI

COURT FEE

FOR OFFICE USE

Institution No:
Category of Case: Civil
Sub Category:
Jurisdiction of Case:
Date of Institution:
Date of Appearance:
Presented By:
Court Room No: C.C
Entrusted To:
System No:
Court Reg. No:
Consignment No:
Consignment Date:

کیا فریقین میں سے کسی کا کیس:
کسی عدالت میں زیر تجویز ہے

اگر ہے تو کس عدالت میں

اگر فیصلہ ہو چکا ہو تو کس عدالت سے

دستخط سائل/کونسل

Senior Civil Judge, Civil Deision
Rawalpindi

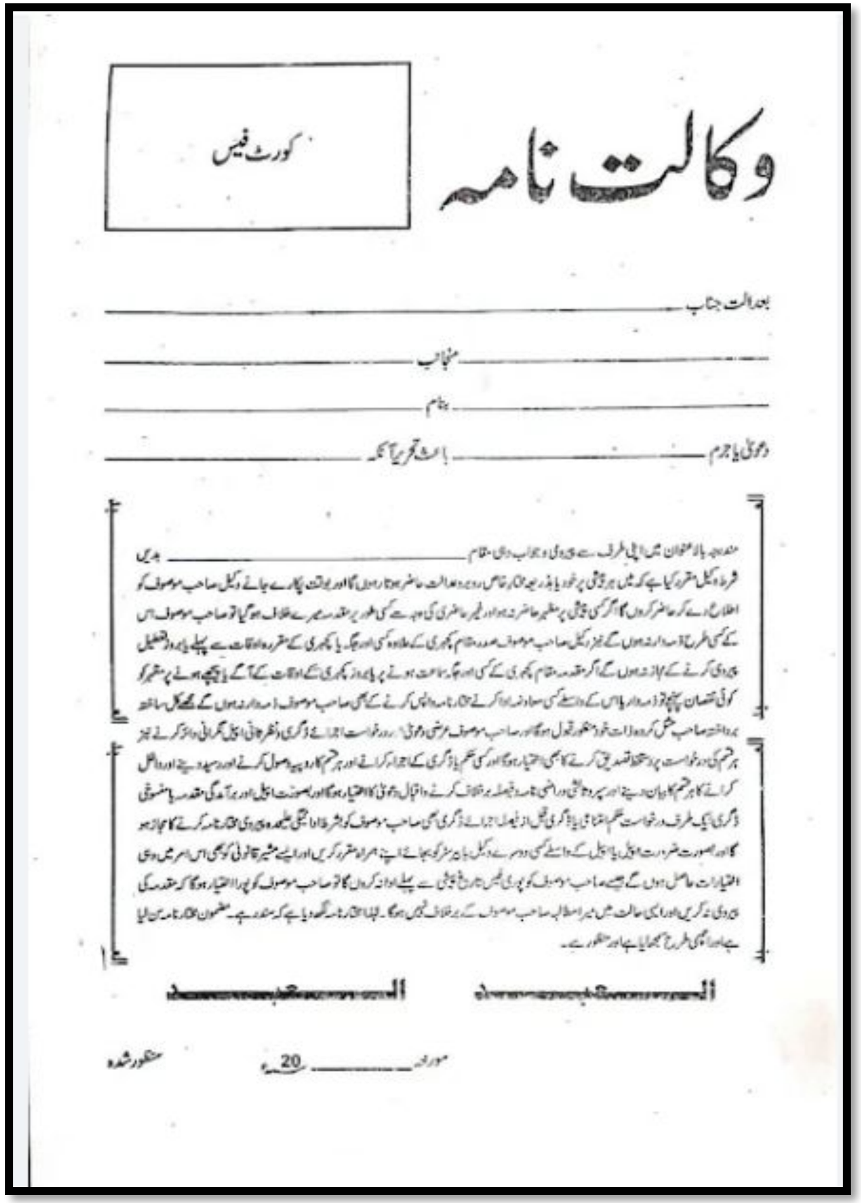
Title of the Case

Party Name (Petitioner / Plaintiff) 1- :
CNIC No:
CELL NO:
E.MAILL ADDRESS (If Any)

Party Name (Respondent / defendant) 1- :
CNIC No:
CELL NO:
E.MAILL ADDRESS (If Any):

CHECK LIST

Yes / No	فریقین کے مکمل نام، ولدیت، پتہ جات و ٹیلی فون نمبرز	•
Yes / No	مدعاعلیہ کے تعداد کے برابر +2 اضافی نقول عرضی دعویٰ و ضروری دستاویزات	•
Yes / No	تمام ضروری دستاویزات معہ نقول مدعاعلیہم	•
Yes / No	فہرست وارثان مدعی	•
Yes / No	فارم 14 اپینڈیکس C	•
Yes / No	اگر مدعی نابالغ یا فاترالعقل ہے تو کیا قانونی سرپرست مقرر کیا گیا ہے	•
Yes / No	اگر مدعاعلیہ نابالغ یا فاترالعقل ہے تو کیا گارڈین مقرر کیا گیا ہے	•



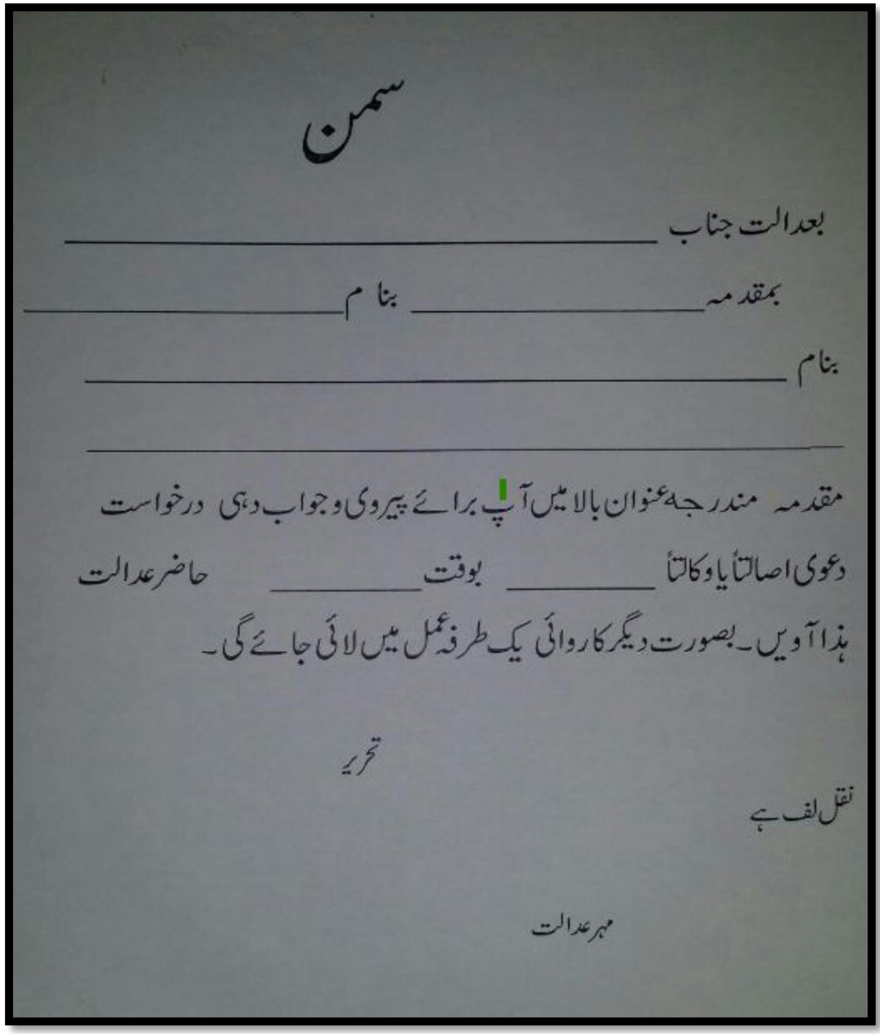
وکالت نامہ

کورٹ فیس

بعدالت جناب
منجانب
بنام
دعویٰ یا جرم ــــــ باعث تحریر آنکہ

العبد ــــــ العبد

منظور شدہ ــــــ 20 ــــــ مورخہ



سمن

بعدالت جناب

بمقدمہ ــــــ بنام

بنام

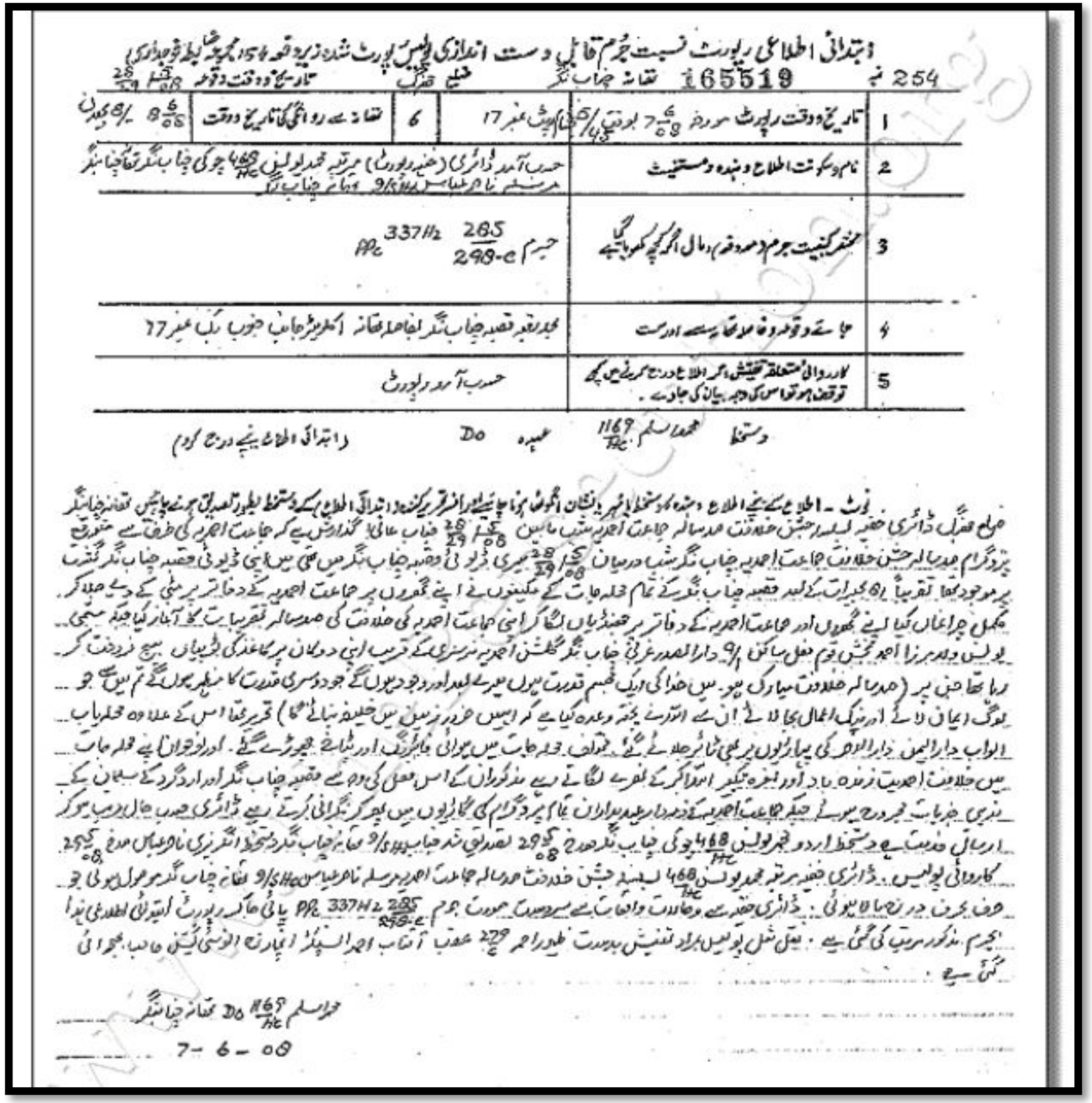
مقدمہ مندرجہ عنوان بالا میں آپ برائے پیروی و جواب دہی درخواست
دعوی اصالتاً یا وکالتاً ــــــ بوقت ــــــ حاضر عدالت
ہذا آویں۔ بصورت دیگر کاروائی یک طرفہ عمل میں لائی جائے گی۔

تحریر

نقل لف ہے

مہر عدالت

Necessity of Procedure



ابتدائی اطلاعی رپورٹ نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ زیر دفعہ ۱۵۴ مجموعہ ضابطہ فوجداری

نمبر 254 165519 تھانہ چناب نگر ضلع جھنگ تاریخ و وقت وقوعہ

1	تاریخ و وقت رپورٹ	تھانہ سے روانگی کی تاریخ و وقت
2	نام و سکونت اطلاع دہندہ و مستغیث	
3	مختصر کیفیت جرم (معہ دفعہ) و مال اگر کچھ کھویا گیا ہے	جرم 285 298-C 337H2 PPC
4	جائے وقوعہ و فاصلہ تھانہ سے اور سمت	
5	کارروائی متعلق تفتیش اگر اطلاع درج کرنے میں کچھ توقف ہوا ہو تو اس کی وجہ بیان کی جاوے۔	حسب آمد رپورٹ

دستخط ... عہدہ Do ... ابتدائی اطلاع نیچے درج کرو

7-6-08

Necessity of Procedure

- **Rules & Orders of the Lahore High Court, Volume V**

PART D RULES OF PROCEDURE IN CASES UNDER SECTION 374 OF THE CODE OF CRIMINAL PROCEDURE.

1. The rules of procedure to be followed by Sessions Judges in the submission of proceedings to the High Court under section 374 of the Code of Criminal Procedure are contained in Chapter 24-B, High Court Rules and Orders, Volume III.

2. On receipt of the proceedings the Deputy Registrar shall take immediate steps to have the record printed under the rules next following.

3. The printed record in Murder Reference cases shall consist of the following documents:-

   (1) Opening sheet of Sessions record.
   (1-A) Forwarding letter from the Sessions Judge along with explanation, if any, for cause of delay.**
   (2) Notes and orders of the Sessions Judge.
   (3) Charge sheet.
   (4) First Information Report in Urdu only.
   (5) Report of Chemical Examiner and Serologist, if any.
   (6) Statements under sections 342 and 364, Criminal Procedure Code.
   (7) *** [Omitted]
   (8) Record of evidence in Court of Sessions with any further examination under section 364, Criminal Procedure Code, and altered charge, if any.
   (9) Material documentary evidence, if any.
   (10) Recovery memos in Urdu only.
   (11) Record of opinion of Assessors.
   (12) Judgment of Sessions Judge.
   (13) Petition of appeal.

Understanding the Difference Between ‘Urdu’ and ‘Legal Urdu’

FOR EXAMPLE

GIFT

تحفہ

Whereas The Urdu equivalent for the Legal term Gift is

ہبہ

WHICH HAS ROOTS IN THE ARABIC LANGUAGE, AND LITERALLY MEANS TO ‘GIVE’

Understanding the Difference Between ‘Urdu’ and ‘Legal Urdu’

FOR EXAMPLE

STAY ORDER/INJUNCTION

روکنے کا حکم

Whereas The Urdu equivalent for the legal principle of an injunction is

حکم امتناعی

Derived from the Urdu word

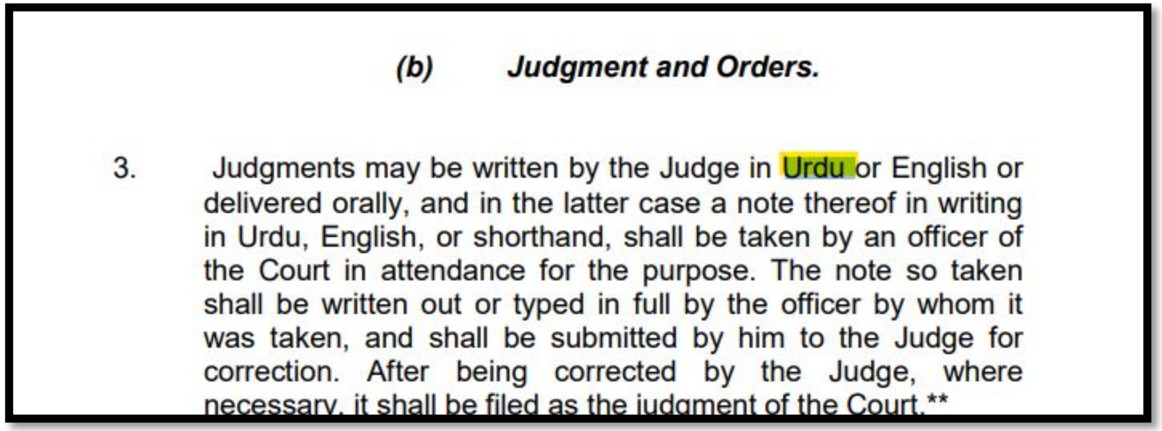
امتناع

Difficulties Faced by Young Lawyers in Learning and Mastering Urdu Legal Language

- Deficiencies in legal education
- Gatekeeping
- Unrealistic expectations from practice
- Lack of exposure in lower courts
- Getting overwhelmed by handwritten court orders

Understanding Judgements & Orders

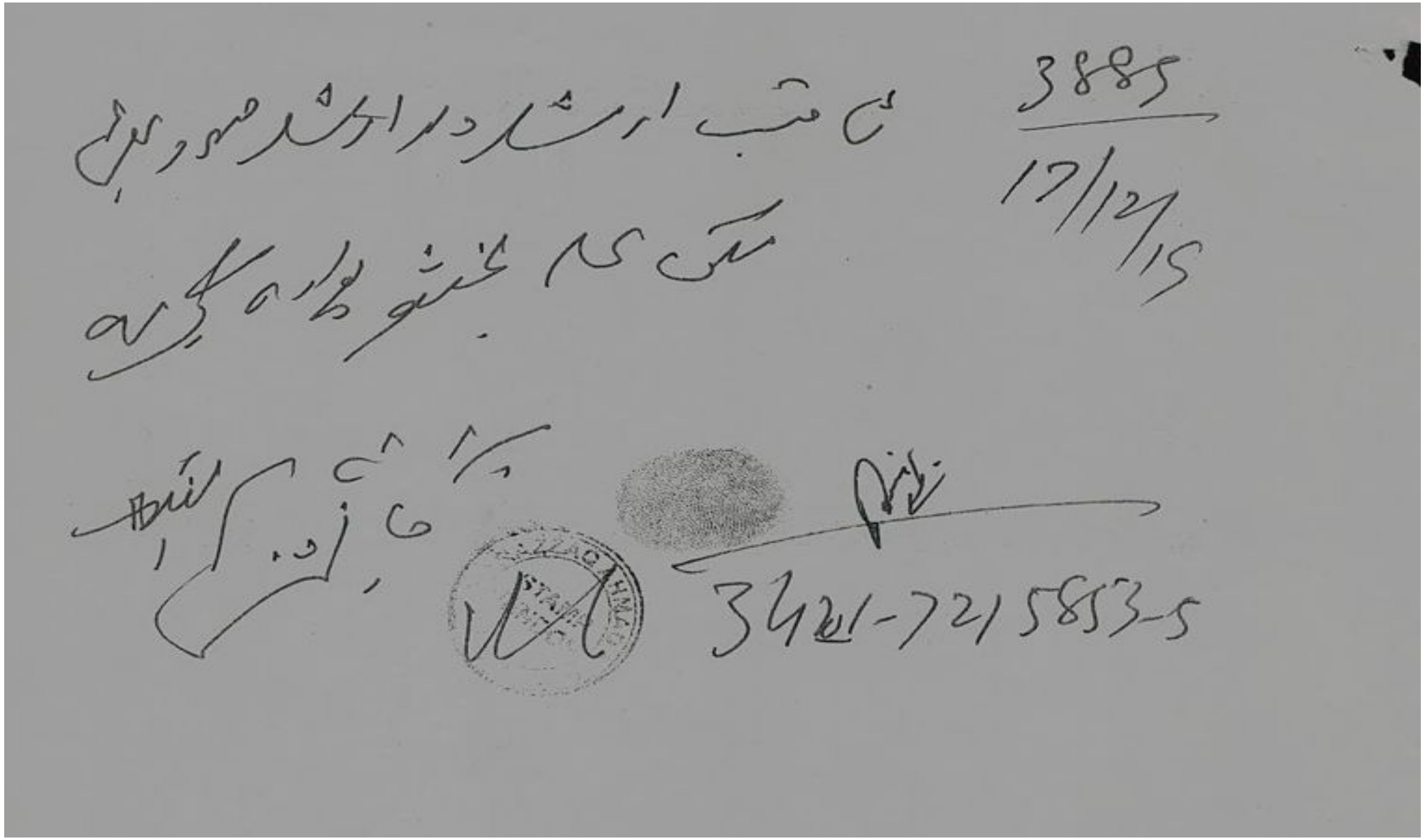
- **Rules & Orders of the Lahore High Court, Volume V**



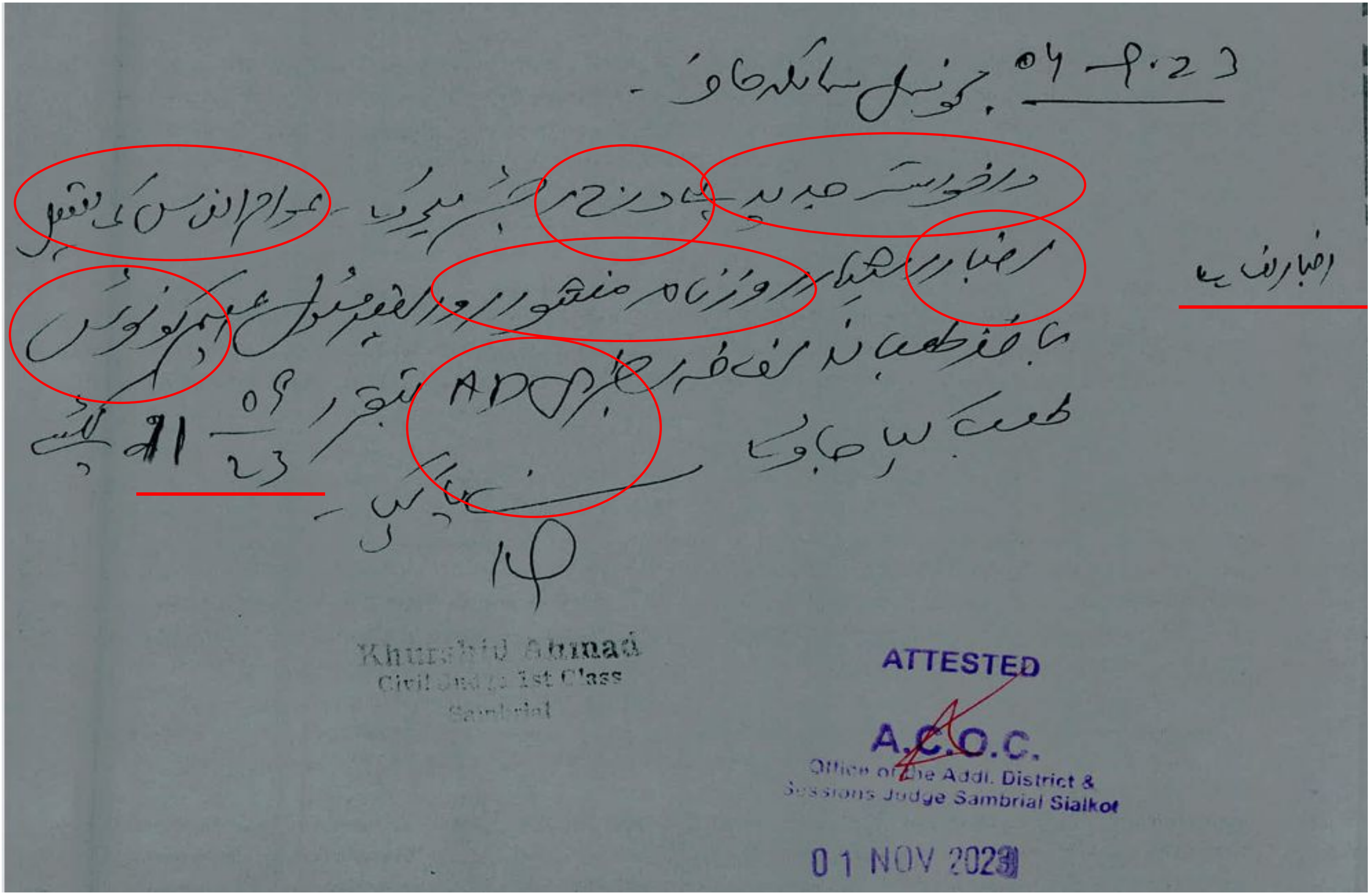
(b) Judgment and Orders.

3. Judgments may be written by the Judge in Urdu or English or delivered orally, and in the latter case a note thereof in writing in Urdu, English, or shorthand, shall be taken by an officer of the Court in attendance for the purpose. The note so taken shall be written out or typed in full by the officer by whom it was taken, and shall be submitted by him to the Judge for correction. After being corrected by the Judge, where necessary, it shall be filed as the judgment of the Court.**

Sometimes Court Orders Can Look like this…



So How Does One Crack The Code?
One Word At a Time



So How Does One Crack the Code?

- Start easy
- Don't put too much pressure on yourself to know everything
- Practice and Exposure is **<u>KEY</u>**
- Make good use of the online Case Management System to see which hearings interest you or what court orders you want to familiarize yourself with

https://dsjlahore.punjab.gov.pk/

Sensitization Towards Clients Not Well-Versed in English

- Be cognizant that the language barrier can be a source of anxiety and anticipation for the client
- Don’t escape or avoid answering questions
- Try to simplify and dilute the language for better understanding of the client

Simplification of Language

For Example

AS YOU HAVE TOLD ME THAT YOUR HUSBAND HAS DIVORCED YOU, WE WILL FILE A SUIT FOR RECOVERY OF DOWRY ARTICLES AND CUSTODY AND MAINTENANCE FOR YOUR CHILDREN.

چونکہ آپ کے شوہر نے آپ کو طلاق دے دی ہے، اس لیے ہم **دلاپانے سامان جہیز اور اپکے بچوں کی حضانت اور نان نفقہ** کا دعویٰ دائر کریں گے۔

کیوں کہ آپ کے شوہر نے آپ کو طلاق دے دی ہے، ہم جہیز کی وصولی اور آپ کے بچوں کی تحویل اور کفالت کے لیے دائر دائرے میں ہیں۔

Topic No. 2
Different Career Trajectories in Law & What Do These Entail

- **Litigation**
  - ✔ Civil
  - ✔ Criminal
  - ✔ Corporate & Commercial

  Mainstream/Conventional

  - ✔ Maritime
  - ✔ Aviation
  - ✔ Sports
  - ✔ Intellectual Property
  - ✔ Banking
  - ✔ Constitutional

  Unconventional

- **Transactions & Compliance**
  - ✔ Incorporation of Companies etc. (Regulatory Compliance with SECP)
  - ✔ Taxation (Regulatory Compliance with FBR)
  - ✔ Banking (Regulatory Compliance with SBP)
  - ✔ Intellectual Property (Regulatory Compliance with IPO)
  - ✔ Contracts

Different Career Trajectories in Law & What Do These Entail

- **Medical Negligence**
  - ✔ Healthcare Commissions
  - ✔ Appearances before District & Session Judges
  - ✔ Writs

- **In-House Counsel & Advisory**
  - ✔ Banks
  - ✔ Multinational Companies
  - ✔ Startups
  - ✔ Cyber and IT
  - ✔ Power and Energy
  - ✔ Government owned entities e.g FOSPAH, Public Private Partnership Authority, LESCO, NEPRA etc.

- **Alternate Dispute Resolution**

- **Academia**
  - ✔ Teaching
  - ✔ Research Papers
  - ✔ Article Writing

THANK YOU